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July 25, 2012

Hon. Andrew T. Baxter
U.S. Magistrate Judge
Federal Building and U.S. Courthouse
P.O. Box 7396
Syracuse, NY 13261-7396

**Re: UFP Atlantic Division, LLC v. Route 299 Retail Center, LLC, et al.
Case No. 1:12-cv-053 MAD/ATB**

Dear Judge Baxter:

This office represents the Plaintiff in the above action, UFP Atlantic Division, LLC.

A scheduling conference was held in this matter on July 17, 2012, during which a briefing schedule was established for Plaintiff's anticipated summary judgment motion. Plaintiff was to file its motion by July 25, 2012, the defendants' responses were to be due August 29, 2012, and Plaintiff's reply was to be due September 7, 2012.

After conferring with counsel for defendants Route 299 Retail Center, LLC, Highland Square Development, LLC, Michael Barnett, and Denise Barnett, the parties have agreed to adjourn the motion dates referenced above, in order to provide an opportunity to resolve certain issues which would otherwise be the subject of Plaintiff's motion. The requested adjournment may obviate the need for filing a summary judgment motion on Plaintiff's foreclosure claim.

It is respectfully requested that the briefing schedule be adjusted as follows, in the event Plaintiff finds it necessary to file its summary judgment motion:

1. Plaintiff's motion is to be filed by August 8, 2012.
2. Defendants' responses are to be filed by September 12, 2012.
3. Plaintiff's reply is to be filed by September 21, 2012.

Thank you for your time and consideration.

Hon. Andrew T. Baxter
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Respectfully Submitted,

ISEMAN, CUNNINGHAM, RIESTER & HYDE, LLP



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cc: via ECF to all counsel